

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/006,839 01/12/98 SIDIKMAN

P C0464.093809

LM02/0508

EXAMINER

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KAZIMI, H

ART UNIT

PAPER NUMBER

2765

14

DATE MAILED:

05/08/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 09/006,839	Applicant(s) Sidikman et al.
Examiner Hani Kazimi	Group Art Unit 2765

Responsive to communication(s) filed on Feb 16, 2000

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 19-38 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) 19-37 is/are allowed.

Claim(s) 38 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 3, and 4

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

1. This communication is in response to the amendment filed on February 16, 2000.

Status of Claims

2. Of the original claims 1-18, claims 1-18 have been canceled without prejudice or disclaimer in the amendment filed on January 12, 1998, and claims 22-41 have been added in the same amendment. However, since the original claims were 1-18, the added claims 22-41 have been renumbered as 19-38 according to 37 C.F.R. 1.126. In the amendment filed February 16, 2000, claims 19, and 38 have been amended. Therefore, claims 19-38 are under prosecution in this application.

Summary of Office Action

3. Applicants' arguments filed on February 16, 2000 have been fully considered, and discussed in the next section below or within the following rejection under 35 U.S.C. § 102 are not deemed to be persuasive. Therefore, claim 38 remain rejected under 35 U.S.C. § 102 as being unpatentable over the art cited below, and Applicants' request for allowance is respectfully denied.

Response to Applicants' Amendment

4. The Examiner acknowledges Applicant's statement in the remarks concerning the IDS that was filed on January 12, 1998. The file wrapper indicates that two Information Disclosure

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Statements (IDS) were submitted by the Applicant on January 12, 1998, paper numbers 3, and 4.

Both 1449 forms were considered by the Examiner and mailed with the first office action dated September 16, 1999. For Applicant's convenience, another copy of the considered IDS is attached to this office action.

5. The Examiner acknowledges Applicant's statement in the remarks with respect to the objection to the Oath and Declaration of the previous office action, and therefore withdraws the prior office action's objection regarding this matter.

6. The Examiner acknowledges Applicant's deletion of the copyright authorization on page 1 of the specification, and therefore withdraws the prior office action's objection regarding this matter.

7. The Examiner acknowledges Applicant's statement in the remarks with respect to the objection to claims 19-37 of the previous office action, and therefore withdraws the prior office action's objection regarding this matter.

8. The Examiner acknowledges Applicant's amendment to claim 19, and therefore withdraws the prior office action's rejection under 35 U.S.C. § 112, second paragraph regarding this matter.

9. Claims 19-37 are allowable.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 148 USPQ 459, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or unobviousness.

12. Claim 38 is rejected under 35 U.S.C. 103(a) as being anticipated by "Trade it Yourself Bank Machines Make a Debut Securities", Los Angeles Times, October 6, 1994, (hereinafter Trade it Yourself).

Claim 38, (Trade it Yourself) discloses a system for a user at an automatic teller machine to obtain securities information and transactions, (page 1), comprising:

means for the user to select the option to perform securities functions (page 1);

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means to prompt the user to select a securities function (page 1);

means for the user to select a securities function (page 1);

means to whether the user has established a linked brokerage account (page 1); and

means to perform securities functions (page 1).

(Trade it Yourself) fails to explicitly teach the added means for checking recent activity of the selected securities function.

Official notice is taken that checking recent activity of a selected security function is old and well known in the art.

It would have been obvious to one of ordinary skilled in the art at the time the applicant's invention was made to modify the teachings of (Trade it Yourself) to include the means for checking recent activity of the selected securities function, because it provides convenience to the customer by checking recent updates, and also provides a system that is user friendly.

Response to Arguments

13. Applicant's arguments with respect to claim 38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (703) 305-1061. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

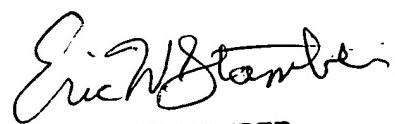
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen MacDonald, can be reached at (703) 305-9708.

The fax number for Formal or Official faxes to Technology Center 2700 is (703) 308-9051 or 9052. Draft or Informal faxes for this Art Unit can be submitted to (703) 308-5357.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hani.Kazimi

May 4, 2000



ERIC W. STAMBER
PRIMARY EXAMINER